**THE HONOURABLE SRI JUSTICE V.ESWARAIAH**

**WRIT PETITION No :19442 OF 2007**

**DATED:13-09-2007**

**BETWEEN:**

J.Md.Taher Hussain.

**..... PETITIONER**

**AND**

The State of Andhra Pradesh,
Rep., by the Collector,
Hyderabad & 2 others.

**.....RESPONDENTS**

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**ORDER:**

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioner questions the order of the 2nd respondent-Tahsildar, Marredpalli mandal, Hyderabad District in proceedings No.D/342/2007, dated 30-08-2007, in ordering eviction of the petitioner under Section 6 of the Land Grabbing Act, 1905 (for brevity, 'the Act') from the encroached portion of the Government land admeasuring 155 Sq.Mts in Ts.No.4, Block-B, Ward No.124, correlated to Sy.No.798/5p of Malkajgiri village, Marredpally mandal at 12-8-404, Mettuguda, Secunderabad with immediate effect and in directing the Mandal Revenue Inspector, Marredpally, mandal to evict the illegal occupant from the land.

3. It is the case of the petitioner that without giving any reasonable opportunity to question the said order before the appellate authority the Mandal Revenue Officer, Marredpally mandal, Hyderabad, issued notice under Section 6 of the Act, dated –09-2007, directing the petitioner to vacate the land within two days.

4. Learned counsel appearing for the petitioner as well as the learned Government Pleader submit that in similar circumstances this Court disposed of W.P.No.20072 of 2005 by order, dated 15-09-2005, directing to maintain *status quo* so as to enable the

petitioner to avail the remedy of appeal under Section 10 of the Act before the Revenue Divisional Officer.

5. Following the said order, dated 15-09-2005, of this Court, petitioner is permitted to avail the remedy of appeal under Section 10 of the Act before the Revenue Divisional Officer. It would be in the interest of justice to order *status quo* as to possession and enjoyment of the disputed land, and the petitioner is given two weeks time to file an appeal before the Revenue Divisional Officer concerned and obtain appropriate orders. As and when the appeal is filed the Revenue Divisional Officer shall take up the appeal, and pass appropriate orders within a period of six weeks from the date of filing of the said appeal.

6. Accordingly, Writ Petition is disposed of with the aforesaid observations. No order as to costs.

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**V.ESWARAIAH,J**

13th September, 2007.

**Note:**

Furnish C.C. of the order
by tomorrow.

B/o

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